

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: MOSSAKOWSKI1

In re Application of:  
Gerd MOSSAKOWSKI

Serial No. 10/520,134

IA Filing Date: July 1, 2003

For: METHOD FOR MANAGING STORAGE SPACE IN A...

) Application Division

) ATTN: PCT

) Washington, D.C.

) Confirmation No. 2728

) Date: November 9, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated September 19, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.
- [XX] An exact English language translation of the PCT application as originally filed.
- [XX] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages 1-2a of the specification (3 sheets) and new claims 1-10 to be used for examination.
- [XX] A Preliminary Amendment including replacement drawing Figs. 1-4. [XX] Fees are reduced due to elimination of claim multiple dependencies.
- [XX] A certified copy of priority document no. DE 102 29 706.1, filed July 2, 2002. Priority is claimed..
- [XX] An Information Disclosure Statement with 08A- 1449 and 4 references.
- [XX] Additional fees as calculated below:

[XX] Search fee		\$400.00
[XX] Examination fee		\$200.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
10 - 20 =	0	X \$ 50.00
1 - 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$730.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
SUBTOTAL		\$730.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$130.00
TOTAL NATIONAL FEE		\$860.00

[XX] Total fees enclosed: \$ 860.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 860.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

11/09/2005 MAYFAG1 00000139 10520134

FC:1642	400.00	OP
FC:1633	200.00	OP
FC:1617	130.00	OP
FC:1618	130.00	OP

SN:ses

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

  
 Sheridan Neimark  
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Rec'd PCT/PTO 09 NOV 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

RIEB.

U.S. APPLICATION NUMBER NO. 10/520,134	FIRST NAMED APPLICANT Gerd Mossakowski	ATTY. DOCKET NO. MOSSAKOWSHI
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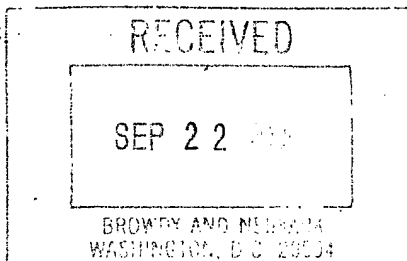
INTERNATIONAL APPLICATION NO.
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PCT/DE03/02181

I.A. FILING DATE 07/01/2003	PRIORITY DATE 07/02/2002
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1444

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CONFIRMATION NO. 2728

371 FORMALITIES LETTER



\*OC000000017035036\*

Date Mailed: 09/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/03/2005
- Copy of the International Search Report filed on 01/03/2005
- Copy of IPE Report filed on 01/03/2005
- Request for Immediate Examination filed on 01/03/2005
- U.S. Basic National Fees filed on 01/03/2005
- Priority Documents filed on 01/03/2005

MSR/IDS = 19NOV2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

**Rec'd PCT/PTO 09 NOV 2005**

Total additional fees required for this application is **\$860** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.
- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,134	PCT/DE03/02181	MOSSAKOWSHI1